

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

v.

No.: 20 Misc. 90 (ER)

STEVENSON, JORDAN AND HARRISON,
INC., ET AL.,
Defendants.

ORDER TERMINATING FINAL JUDGMENT

WHEREAS, the Court has received the motion of Plaintiff, United States of America, for termination of the final judgment entered in the above-captioned case, and the Court has considered all papers filed in connection with this motion; and

WHEREAS, Federal Rule of Civil Procedure 60(b)(5) provides that “[o]n motion and just terms, the court may relieve a party . . . from a final judgment . . . [when] applying it prospectively is no longer equitable.” Fed. R. Civ. P. 60(b)(5); and

WHEREAS, the sole corporate defendant appears to no longer exist based on a search of corporate records with the New York Department of State Division of Corporations and other publicly available records. Doc. 1-4 ¶¶ 5-7; and

WHEREAS, the United States has provided adequate notice to the public regarding its intention to seek termination of the judgment; and

WHEREAS, based on the foregoing, the Court deems that terminating the antitrust judgment is consistent with the public interest. *See United States v. Western Elec. Co.*, 993 F.2d 1572, 1577 (D.C. Cir. 1993) (a court “may reject an uncontested modification only if it

has exceptional confidence that adverse antitrust consequences will result”);

It is hereby **ORDERED, ADJUDGED, AND DECREED** that the said final judgment is hereby terminated.

The Clerk of Court is respectfully directed to terminate the motion, Doc. 1, and to close the case.

Dated: December 10, 2021
New York, New York



Edgardo Ramos, U.S.D.J.